

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Steven Chase,

Civil No. 04-1500 (RHK/JSM)

Plaintiff,

**ORDER**

v.

Jim Flinn, John E. Potter, United States  
Postal Service,

Defendants.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated December 5, 2005. Timely Objections have been filed to that Report and Recommendation.

The Court has reviewed the Report and Recommendation and the Objections thereto. That review satisfies the undersigned that the recommended dismissal of Plaintiff's Complaint is supported by the record before Judge Mayeron. In addition, Judge Mayeron applied existing case law and controlling legal precedent. Accordingly, based upon all the files, records and proceeding herein, **IT IS ORDERED**:

1. The Objections (Doc. No. 36) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 35) is **ADOPTED**;
3. Defendants' Motion for Summary Judgment (Doc. No. 20) is **GRANTED**; and

4. Plaintiff's Amended Complaint (Doc. No. 9) is **DISMISSED WITH  
PREJUDICE.**

Dated: January 6, 2006

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge